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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,597	06/14/2001	Alamgir Farouk	P3370US00	6419
30671 7590 10/27/2010 DITTHAVONG MORI & STEINER, P.C. 918 Prince Street Alexandria, VA 22314				
EXAMINER OSMAN, RAMY M				
ART UNIT 2457		PAPER NUMBER		
NOTIFICATION DATE 10/27/2010		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket@dcpatent.com

Office Action Summary

Application No.

09/881,597

Applicant(s)

FAROUK, ALAMGIR

Examiner

RAMY M. OSMAN

Art Unit

2457

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-6, 8-17, 20-24, 26-31, 33-41 and 43-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-6, 8-17, 20-24, 26-31, 33-41, 43-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. Applicant's amendment filed August 16, 2010 has been fully considered. The arguments presented are deemed persuasive. The previous rejections are thus withdrawn.
2. However, after a new analysis and search, a new grounds of rejection is presented below.
3. Claims 2-6,8-17,20-24,26-31,33-41,43-63 remain pending.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **All Claims rejected under 35 U.S.C. 103(a) as being unpatentable over Brid et al (US Patent No 6772144) in view of Fox et al (US Publication No 20020077823).**

6. The combination of Brid and Fox together give a complete view of the Brid patent "Applying an Adaptive Layout Process to a Layout Template" which substantially teaches the claimed invention. The motivation to combine is the obvious implementation of the Brid patent to provide tailored content to a variety of different client devices. The context of Brid is a web environment for web page development, Fox is similarly directed to web development which fills in the gaps of Brid.

7. In reference to claim 50, Brid teaches a method comprising:

receiving device independent content comprising markup information identifying one or more device feature values wherein the device-independent content is responsive to a content request from a network terminal device (Brid, column 2 lines 48-58 and column 3 lines 21-32) (Fox, ¶s 62-63, teaches that markup language is old and well known in the art);

identifying one or more device feature associated with the network terminal device (Brid, column 4 lines 43-46);

matching at least one of the device feature associated with the device independent content with at least one of the device feature associated with the network terminal device (Brid, column 4 lines 43-46);

based on said matching, converting device independent content into device-specific content adapted to said network terminal device (Brid, column 4 lines 1-10 and column 5 lines 19-24);

providing the device specific content to the network terminal device (Brid, column 4 lines 64-65).

8. Independent claims 51,52,53,56,58 correspond to independent claim 50 and are slight variations thereof. Therefore claims 51,52,53,56,58 are rejected based upon the same rationale as given for claim 50.

9. In reference to claim 2, this is taught by Brid, see at least column 3 lines 34-67.

10. In reference to claim 3, this is taught by Brid, see at least column 3 lines 34-67.

11. In reference to claims 4-6, this is taught by Brid, see at least column 3 lines 45-50.

12. In reference to claims 8-10, this is taught by Fox, see at least ¶s 122, inherent parts of markup rendering.

13. In reference to claim 11, this is taught by Brid, see at least column 3 line 36.
14. In reference to claims 12-13, this is taught by Brid, see at least column 4 lines 35-41.
15. In reference to claim 14, this is taught by Brid, see at least column 3 lines 45-67.
16. In reference to claim 15, this is taught by Brid, see at least column 3 lines 45-67.
17. In reference to claim 16, this is taught by Brid, see at least column 3 lines 45-67.
18. In reference to claim 17, this is taught by Brid, see at least column 3 lines 45-67.
19. In reference to claims 54-55, this is taught by Fox. ¶ 67 teaches alternative versions of content for a device, and ¶ 63 teaches content metatags for a device. (the alternative versions satisfy the first and second portions)
20. In reference to claim 61, this is taught by Brid, see at least column 3 line 36.
21. In reference to claim 62, this is taught by Brid, see at least column 4 lines 10-12. Fox ¶ 46 teaches a device pane.
22. In reference to claim 64, this is taught by Brid, see at least column 3 line 36.
23. Dependent claims 20-24,26-31,34-49,57,59,60,63 correspond to dependent claims 2-6,8-17,54,55,61,62,64 and are slight variations thereof. Therefore claims 20-24,26-31,34-49,57,59,60,63 are rejected based upon the same rationale as given for claims 2-6,8-17,54,55,61,62,64.

Conclusion

24. The above rejections are based upon the broadest reasonable interpretation of the claims. Applicant is advised that the specified citations of the relied upon prior art, in the above rejections, are only representative of the teachings of the prior art, and that any other supportive sections within the entirety of the reference (including any figures, incorporation by references, claims and/or priority documents) is implied as being applied to teach the scope of the claims.
25. Applicant may not introduce any new matter to the claims or to the specification. For any subsequent response that contains new/amended claims, Applicant is required to cite its

corresponding support in the specification. (See MPEP chapter 2163.03 section (I.) and chapter 2163.04 section (I.) and chapter 2163.06)

26. In formulating a response/amendment, Applicant is encouraged to take into consideration the prior art made of record but not relied upon, as it is considered pertinent to applicant's disclosure. See attached Form 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAMY M. OSMAN whose telephone number is (571)272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ramy M Osman/
Primary Examiner, Art Unit 2457

October 22, 2010